

# ***First Circuit Opinion Summaries by Findlaw***

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## **Most Recent Summaries**

### **Trafon Group, Inc. v. Butterball LLC**

May 3, 2016

Civil Procedure, Contracts

(United States First Circuit) - In a suit alleging defendant breached an exclusive distribution agreement in violation of Puerto Rico's Law 75 of June 24, 1964, P.R. Laws Ann. tit. 10 section 278, the District Court's denial of a preliminary injunction against defendant and dismissal of the complaint is affirmed where plaintiff's claim was barred under Law 75's three-year statute of limitations and properly under Federal Rule of Civil Procedure 56(f).

### **Walsh v. Teltech Systems, Inc.**

May 2, 2016

Consumer Protection Law, Communications Law

(United States First Circuit) - In a case concerning a prepaid minutes-based calling service that allows customers to disguise the phone number from which they place calls, brought under the Massachusetts consumer protection statute by a plaintiff who had been harassed via telephone by someone using the service, the District Court's grant of summary judgment to defendant is affirmed where no reasonable jury could find that defendant caused the plaintiff's injuries.

### **Federal Home Loan Bank of Bost v. Moody's Corp.**

May 2, 2016

Civil Procedure, Securities Law, Banking Law

(United States First Circuit) - In a case arising out of the near-collapse of the mortgage-backed securities market, alleges that various rating agencies falsely gave out triple-A ratings to mortgage-backed securities they knew were far riskier than indicated by their pristine ratings, the District Court's dismissal of plaintiff's claims on jurisdictional grounds is reversed where it erred in finding that it lacks statutory power to transfer this action to another federal court in which personal jurisdiction over certain defending parties may be met.

### **CNE Direct, Inc. v. Blackberry Corp.**

May 2, 2016

Contracts

(United States First Circuit) - In a case alleging breach of contract, arising out of a deal to purchase technology parts manufactured by defendant, the District Court's grant of summary judgment to defendant is affirmed where no fact finder could rationally conclude that defendant gave plaintiff reason to think that the supplier was acting as defendant's agent in negotiating the price of the aborted deal.

**US v. Dunfee**

May 2, 2016

Sentencing, Criminal Law & Procedure

(United States First Circuit) - Sentence and conviction by guilty plea to coercion and enticement of a minor, and the sexual exploitation of a child, are affirmed over defendant's challenges where: 1) the District Court properly denied defendant's motion to withdraw his plea; and 2) the sentence is neither procedurally nor substantively unreasonable.

**Najas Realty, LLC v. Seekonk Water Dist.**

May 2, 2016

Property Law & Real Estate, Civil Rights

(United States First Circuit) - In an action stemming from the plaintiffs' purchase of a piece of land and the opposition the defendants mounted to the plaintiffs' plan to develop that property, alleging defendants' conduct violated various constitutional and state law provisos, including 42 U.S.C. section 1983 and the Massachusetts Civil Rights Act (MCRA), Mass. Gen. Laws Ann. ch. 12, section 11, the District Court's grant of judgment on the pleadings in favor of defendants is affirmed where plaintiffs did not give sufficient facts to state plausible-on-their-face claims, ones that gave rise to more than a mere possibility of liability.

**HUD v. Castillo Condominium**

May 2, 2016

Property Law & Real Estate, Civil Rights, Administrative Law

(United States First Circuit) - In a case that involves a man, his emotional support dog, and a condominium association's 'no pets' rule, alleging disability discrimination under the Fair Housing Act, 42 U.S.C. sections 3601-3619, the condominium association's petition for judicial review of a final order of the Secretary of the United States Department of Housing and Urban Development is denied and the Secretary's cross-petition for enforcement of his order is granted where substantial evidence supports the Secretary's finding that the Association's refusal to allow the former condo owner to keep an emotional support dog in his condominium unit as a reasonable accommodation for his disability was unlawful.